

1. COMMAND:		QUARTERLY A-E LIABILITY CASE REPORT (ER 715-1-20) RCS: CEMP-E-32 (SEE REVERSE FOR INSTRUCTIONS)				3. FISCAL YEAR:	
2. CASE NUMBER:						4. QUARTER:	
5. A-E NAME AND ADDRESS:			6. PROJECT TITLE AND LOCATION:		7. A-E CONTRACT NUMBER:		
					8. CONSTRUCTION CONTRACT NUMBER:		
9. DESCRIPTION OF DEFICIENCIES:							
DISCIPLINE(S) INVOLVED: CIVIL <input type="checkbox"/> ARCH. <input type="checkbox"/> STRUCT. <input type="checkbox"/> HVAC <input type="checkbox"/> PLUMBING <input type="checkbox"/> FIRE PROTECT. <input type="checkbox"/> ELECT. <input type="checkbox"/> OTHER <input type="checkbox"/>							
10. A-E POSITION/REBUTTAL:							
11. A-E NOTIFICATION:		12. LETTER OF INTENT:		13. DEMAND LETTER:		14. CONTRACTING OFFICER DECISION:	
						15. DATE OF APPEAL:	
						16. DOCKET NO.:	
						17. FINAL ACTION: <input type="checkbox"/> DROPPED <input type="checkbox"/> SETTLED DATE:	
18. CONSTRUCTION DAMAGES, \$:		19. ANCILLARY COSTS, \$:		20. INVESTIGATION & RECOVERY COSTS, \$:		21. TOTAL DAMAGES (18 + 19 + 20), \$:	
						22. SETTLEMENT AMOUNT, \$:	
						23. EFFICIENCY RATIO, 20/(18 + 19):	
						24. RECOVERY RATIO, 22/21:	
25. SUMMARY OF EVENTS AND STATUS, INCLUDING CHANGES AND PROGRESS FROM LAST QUARTER:							
26. PREPARED BY (AERC):			27. OFFICE SYMBOL:		28. TELEPHONE NO.:		

INSTRUCTIONS FOR ENG FORM 4858A-R

General: A separate form is required for each A-E liability case until it is dropped or settled. Instructions are provided below for items which are not self-explanatory. Attach additional sheets if needed.

1. Enter the three character office symbol; e.g., MRO for Omaha District, NED for New England Division.
2. Use the following format for the case number: FY-XXX, where FY is the fiscal year in which the liability case was originated and XXX is a serial number assigned sequentially for that fiscal year.
9. Identify key consultants by name, and city and state address, if involved.
11. Indicate date(s) and means (T=telephone; L=letter) of initial notification to the A-E firm.

15/16. Enter date and docket number of appeal to Armed Services Board of Contract Appeals (ASBCA), Engineer Board of Contract Appeals (EBCA), or Court of Federal Claims (CFC).

Note for Items 18-22: See ER 715-1-20, Appendix U for a detailed discussion of the determination of damages. Update damages, especially investigation and recovery costs, as the case progresses. Round-off to nearest dollar.

18. Enter the additional construction costs the Government incurred due to A-E design errors or omissions, or performance deficiencies, such as tearout, reinstallation, premium for expedited delivery, and delay and extended overhead.

19. Enter the S&A and EDC costs associated with the additional construction costs. Also include costs for redesign (if not performed by the original A-E firm), reprourement of equipment or construction, and lessened value.

20. Enter all costs to investigate the A-E liability and responsibility, and to pursue the recovery of damages. Do not include labor costs of personnel who normally charge to overhead.

25. Summarize key events in the case.

a. This should generally be a one line entry for each event, e.g.:

- o 16 Apr 96: A-E rebuttal
- o 6 Jun 96: Conference with A-E
- o 1 Aug 96: A-E appeal to the ASBCA

Earlier entries do not have to be repeated for liability cases in the later stages of litigation.

b. Make a concise statement on the present status. For example, when the last step has been a conference with the A-E, a statement might be made that there has been no change in the Government's position and the A-E has been told that a COD will be issued within 30 days.

c. Give a brief statement of any changes in the case, such as the amount of damages, from the last report.